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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,447	02/22/2007	Reijo Pekkala	P18714-US1	9831
27045	7590	11/30/2009		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024				
EXAMINER				
CHAI, LONGBIT				
ART UNIT		PAPER NUMBER		
2431				
MAIL DATE		DELIVERY MODE		
11/30/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/595,447

**Applicant(s)**

PEKKALA ET AL.

**Examiner**

LONGBIT CHAI

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 February 2007.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-10 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 20 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

1. Applicant's claim for benefit of foreign priority under 35 U.S.C. 119 (a) – (d) is acknowledged.

The application is filed on 2/22/2007 but is a 371 case of PCT/EP03/11609 application filed on 10/31/2003 and has a foreign priority application filed on 10/27/2003.

### ***Claim Objections***

2. Claims 5 and 10 are objected to because of the following informalities: "according to claim [[5]] ([[10]])" respectively should be replaced with "according to claim [[5]] 1 ([[10]] 1)" respectively. Appropriate correction(s) is (are) required. Any other claims not addressed are objected by virtue of their dependency should also be corrected.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to "A telecommunication network", which does not fall into the categories of "process", "machine", "manufacture" and "composition of matter". All dependent claims are rejected to as having the same deficiencies as the claims they depend from.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, 5, 6, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Faccin (WO 02/11395 A2).

As per claim 1 and 6, Faccin teaches a telecommunication network with a first domain comprising:

**a mobile application part protocol instance connected to a gateway node** (Faccin: Page 6 Line 5 and Page 6 Line 21 – 22) **adapted to send and receive mobile application part messages, the gateway node being connectable to a second domain, wherein the gateway node is adapted to receive a mobile application part message from the first domain, to convert the received mobile application part message obtaining a secured mobile application part message, and to send the obtained message towards the second domain** (Faccin: Page 22 Line 2 – 13, Page 15 Line 10 – 15 and Page 19 Line 1 – 3), **the gateway node further being adapted to receive a secured mobile application part message from the second domain, to extract an unsecured mobile application part message from the received secured mobile application part message and to send the extracted message towards the first domain** (Faccin: Page 20 Line 21 – 28: the 1<sup>st</sup> GW of the 1<sup>st</sup> domain receives an encrypted message from the 2<sup>nd</sup> domain, decrypts the message and forwards to the destined nodes at the 1<sup>st</sup> domain).

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As per claim 4 and 9, Faccin teaches the gateway node is connectable to different domains, and levels of security are configurable for the different domains (Faccin: Page 15 Line 13 – 15).

As per claim 5 and 10, Faccin teaches for a particular domain a fallback to a lower level of security than the configured level of security for the particular domain is allowable and allowing the fallback to the lower level of security is configurable for one domain independently from a configuring of an allowing of a respective fallback to a lower level of security level for another domain (Faccin: Page 9 Line 4 – 10 and Page 20 Line 14 – 16).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faccin (WO 02/11395 A2), in view of Arkko et al. (U.S. Patent 2002/0052200).

As per claim 2 and 7, Faccin does not disclose expressly the gateway node performs a selective discarding of mobile application part messages received from the first domain and destined for the third domain and a selective discarding of mobile application part messages received from the third and destined for the first domain.

Arkko teaches the gateway node performs a selective discarding of mobile application part messages received from the first domain and destined for the third domain and a selective discarding of mobile application part messages received from the third and destined for the first domain (Arkko: Para [029] – [0030] and Para [0110]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Arkko within the system of Faccin because (a) Faccin teaches providing for securing signaling connections using MAP protocol in telecommunication network such as SS7 networks (Faccin: Abstract), and (b) Arkko teaches a method for securing the signaling traffic between network elements in different operator's networks and preventing illegitimate use of MAP protocols (Arkko: Para [0010]).

6. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faccin (WO 02/11395 A2), in view of Valentine et al. (U.S. Patent 6,327,267).

As per claim 3 and 8, Faccin does not disclose expressly the gateway node performs as a firewall towards the third domain.

Valentine teaches the gateway node performs as a firewall towards the third domain (Valentine: Column 5 Line 65 – 67 / Line 33 – 35).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Valentine within the system of Faccin because (a) Faccin teaches providing for securing signaling connections using MAP protocol in telecommunication network such as SS7 networks (Faccin: Abstract), and (b) Valentine teaches a method for securing the signaling traffic between network elements in different operator's networks where an STP (inter-network gateway) can also act as a

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"firewall" to screen / filter SS7 messages with other networks (Valentine: Column 5 Line 65 – 67 / Line 33 – 35).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LONGBIT CHAI whose telephone number is (571)272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Longbit Chai/

Longbit Chai E.E. Ph.D  
Primary Examiner, Art Unit 2431  
4/20/2009